

**IN THE UNITED STATES COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSE MALDONADO,

Plaintiff

v.

JOSHUA A. FILUTZE,

Defendant

NO. 1:23-cv-68

JURY TRIAL DEMANDED

AFFIDAVIT OF INSPECTOR CHRISTOPHER M. JANUS

COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF ERIE)

I, Christopher M. Janus, being duly sworn, hereby depose and say of my own personal knowledge:

1. I am an Inspector with the City of Erie Police Department and have held that rank since July 18, 2022

2. Prior to becoming an Inspector, I held the ranks of Lieutenant, Sergeant, Detective Sergeant, Detective, Corporal and Officer with the City of Erie Police Department and have been employed by the department since September 3, 1999. Prior to Inspector, as a Sergeant then Lieutenant, I was the Technology Coordinator for the Erie Police Dept. and certified as a Master Body Camera Instructor through Axon, which is The City of Erie's vendor for body worn camera and evidence.

3. In my capacity as Inspector of the City of Erie Police Department, I have access to police incident and information reports, body camera videos, dash camera videos, photographs, written and recorded statements, and other evidence.



4. I have reviewed the case file from the City of Erie Police Department regarding case number 2022-00008605 with respect to the charges filed against Jose Ramone Maldonado, III with respect to an incident that is alleged to have occurred on March 6, 2022.

5. Included in the evidence held by the City of Erie Police Department regarding case number 2022-00008605 are body camera videos from the officers who responded to this incident, Patrolman Joshua Filutze and Corporal Steven Uplinger.

6. In addition to the body camera videos referenced in the preceding paragraph, there are also three Ring doorbell videos that were submitted to the City of Erie Police Department via Axon's evidence.com Citizen Portal by the alleged victim of this incident, Wanda Lamberty.

7. With respect to the three Ring doorbell videos submitted to the Department via Axon's evidence.com Citizen Portal by Wanda Lamberty, two of the videos are identical. In other words, Ms. Lamberty apparently uploaded the same video twice.

8. The two, duplicate videos referenced in the preceding paragraph show an individual believed to be Jose Maldonado entering the premises at 535 West 7th Street, Erie, Pennsylvania, at approximately 7:30 a.m. Each of the videos is approximately 23 seconds long. The third video shows a person believed to be Jose Maldonado leaving the residence of 535 West 7th Street, Erie, Pennsylvania, at approximately 10:30 a.m. That video is approximately 34 seconds long.

9. Axon is the company that provides body cameras and Fleet cameras to the City of Erie Police Department. Axon also provides the City with a process by which the body camera and Fleet camera video of City officers and police vehicles are uploaded and stored.

10. In addition to providing hardware and software for the recording and storage of body camera and dash camera videos, Axon also provides the City of Erie with a program called “Citizen Evidence” by which citizens, like Ms. Lamberty, can directly upload video and/or photographs to the City to be used as evidence in criminal proceedings.

11. In the incident involving Ms. Lamberty and Mr. Maldonado for which Patrolman Filutze and Corporal Uplinger responded on March 6, 2022, Ms. Lamberty referenced Ring doorbell videos that she believed showed Mr. Maldonado improperly entering her home. In fact, those Ring doorbell videos were shown by Ms. Lamberty to the officers.

12. Prior to leaving Ms. Lamberty’s residence, the officers provided information to Ms. Lamberty by which she could directly upload the Ring doorbell videos to the City of Erie’s “Citizen Evidence” portal to be used at a later date.

13. As stated, Ms. Lamberty apparently uploaded the same video on two occasions and then provided a separate video as explained above.

14. I have completed the master instructor school taught by Axon with respect to body cameras, dash cameras and the “Citizen Evidence” portal by which citizens can directly upload evidence to the City of Erie Police Department. As such, I have knowledge and information as to how the Citizen Evidence program works as well as how body camera and dash camera video is downloaded and saved.

15. I have personally taught every officer on the City of Erie Police Department how to use the Axon body camera and dash camera equipment and software. Therefore, based upon the foregoing, I have personal knowledge with respect to the Ring doorbell videos and other information I have referenced above.

16. I hereby swear and affirm that the averments set forth above are true and correct to the best of my information, knowledge and belief.

Christopher M Janus
Christopher M. Janus, Inspector

Sworn to and subscribed before me

this 13 day of September 2023.

Colleen Zimmerman Borzon
NOTARY PUBLIC

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